

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 09-64102

FRANNKA LaCRYSTAL HOWARD, *pro se*,

Chapter 7

Debtor.

Judge Thomas J. Tucker

**ORDER DISMISSING CASE**

On August 3, 2009, Debtor filed a voluntary petition for relief under Chapter 7, initiating this case. On August 19 2009, Debtor filed a "Certificate of Counseling" (Docket # 20), which states that on August 19, 2009, Debtor received "an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111."

Debtor is not eligible to be a debtor in this case under 11 U.S.C. § 109(h)(1). That provision provides in relevant part, that

an individual may not be a debtor under this title unless such individual has, during the 180-day period preceding the date of filing the petition by such individual, received from an approved nonprofit budget and credit counseling agency described in section 111(a) an individual or group briefing (including a briefing conducted by telephone or on the Internet) that outlined the opportunities for available credit counseling and assisted such individual in performing a related budget analysis.

Debtor only received credit counseling *after* her petition was filed. With exceptions not applicable here, 11 U.S.C. § 109(h)(1) requires a debtor to obtain credit counseling *before* filing a bankruptcy petition. Accordingly,

IT IS ORDERED that this case is DISMISSED.

**Signed on August 24, 2009**

/s/ Thomas J. Tucker

**Thomas J. Tucker**  
**United States Bankruptcy Judge**